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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2005 MAR 25 P 3:00

Arizona Corporation Commission

DOCKETED

JEFF HATCH-MILLER Chairman  
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MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

MAR 25 2005

DOCKETED BY

KJ

IN THE MATTER OF THE APPLICATION OF  
SABROSA WATER COMPANY FOR AN  
EMERGENCY INTERIM RATE INCREASE.

DOCKET NO. W-02111A-05-0167

PROCEDURAL ORDER

**BY THE COMMISSION:**

On March 8, 2005, Sabrosa Water Company ("Sabrosa" or "Company") filed the above-captioned application for emergency interim rate relief with the Arizona Corporation Commission ("Commission").

On March 22, 2005, Sabrosa filed a Supplement to the March 8, 2005, emergency rate application.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall commence on **May 6, 2005, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the Staff Report and/or any direct testimony and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before April 22, 2005.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before April 29, 2005.

IT IS FURTHER ORDERED that any motions filed in this matter that are not ruled upon by the Commission within 10 days of the filing date of the motion shall be deemed denied.

IT IS FURTHER ORDERED that any responses to motions shall be filed within five days of the filing date of the motion.

1 IT IS FURTHER ORDERED that any replies shall be filed within five days of the filing date  
2 of the response.

3 IT IS FURTHER ORDERED that the Company shall provide public notice of the hearing in  
4 this matter, in the following form and style:

5 **PUBLIC NOTICE OF HEARING ON SABROSA WATER COMPANY' S**  
6 **EMERGENCY INTERIM RATE APPLICATION**  
7 **Docket No. W-02111A-05-0167**

8 On March 8, 2005, Sabrosa Water Company ("Company") filed an emergency  
9 interim rate application with the Arizona Corporation Commission. The Company is  
10 requesting that the Commission authorize rates, including a Base Rate of \$39.50 and  
11 consumptive charges of (i) \$6.00 per 1,000 gallons up to 3,000 gallons used; (ii) \$9.00  
12 per 1,000 gallons from 3,001 to 10,000 gallons used; and (iii) \$10.80 per 1,000 gallons  
13 for 10,001 and more gallons used. Copies of the Company's application and proposed  
14 tariffs are available at its office [COMPANY INSERT ADDRESS HERE] and at the  
15 Commission's offices in the Docket Control Center for public inspection during  
16 regular business hours. The Commission's Utilities Division Staff will file a  
17 recommendation to the Commission on the Company's application by April 22, 2005,  
18 and copies of that filing will be available at the Commission's offices in the Docket  
19 Control Center for public inspection after that date.

20 The Commission will hold a public evidentiary hearing on this matter  
21 beginning May 6, 2005, at 10:00 a.m. at the Commission's offices, 1200 West  
22 Washington Street, Phoenix, Arizona. Public comments will be taken on the first day  
23 of the hearing. Upon conclusion of the hearing, the presiding administrative law judge  
24 will take the matter under advisement and will draft a recommended Opinion and  
25 Order for the Commission's consideration. The Commission will ultimately vote on  
26 the application at a subsequent Open Meeting at a date to be determined, and may  
27 adopt the Company's proposed rates, or rates that are higher or lower than those  
28 sought by the Company.

The law provides for an open public hearing at which, under appropriate  
circumstances, interested parties may intervene. Intervention shall be permitted to any  
person entitled by law to intervene and having a direct and substantial interest in the  
matter. Persons desiring to intervene must file a written motion to intervene with the  
Commission no later than April 29, 2005. The motion to intervene must be sent to the  
Company or its counsel and to all parties of record, and must contain the following:

1. The name, address, and telephone number of the proposed intervenor  
and of any party upon whom service of documents is to be made if  
different from the intervenor.
2. A short statement of the proposed intervenor's interest in the  
proceeding (e.g., a customer of the Company, a shareholder of the  
Company, etc.).
3. A statement certifying that a copy of the motion to intervene has been  
mailed to the Company or its counsel and to all parties of record in the  
case.

1 The granting of intervention, among other things, entitles a party to present  
2 sworn evidence at the hearing and to cross-examine other witnesses. However, failure  
3 to intervene will not preclude any interested person or entity from appearing at the  
4 hearing and providing public comment on the application or from filing written  
5 comments in the record of the case. You will not receive any further notice of this  
6 proceeding unless you request it.

7 If you have any questions about this application, wish to file written comments  
8 on the application, or want further information on intervention, you may contact the  
9 Consumer Services Section of the Commission at 1200 West Washington Street,  
10 Phoenix, Arizona 85007, or call 1-800-222-7000.

11 The Commission does not discriminate on the basis of disability in admission  
12 to its public meetings. Persons with a disability may request a reasonable  
13 accommodation such as a sign language interpreter, as well as request this document  
14 in an alternative format, by contacting the ADA Coordinator, Linda Hogan, at  
15 LHogan@cc.state.az.us, voice phone number 602/542-3931. Requests should be  
16 made as early as possible to allow time to arrange the accommodation.

17 IT IS FURTHER ORDERED that the Company shall mail to each of its customers a copy of  
18 the above notice by April 4, 2005.

19 IT IS FURTHER ORDERED that the Company shall file certification of mailing as soon as  
20 practicable, but not later than April 18, 2005.

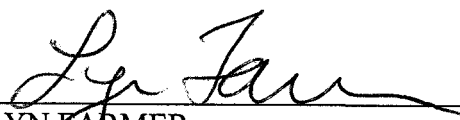
21 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing of same,  
22 notwithstanding the failure of an individual customer to read or receive the notice.

23 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized  
24 Communications) applies to this proceeding and shall remain in effect until the Commission's  
25 Decision in this matter is final and non-appealable.

26 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
27 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

28 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 25 day of March, 2005.

  
LYN FARMER  
CHIEF ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered  
2 this 25 day of March, 2005 to:

3 Raymond S. Heyman

4 Michael W. Patten

5 ROSHKA, HEYMAN & DeWULF

6 One Arizona Center

7 400 E. Van Buren, Suite 800

8 Phoenix, Arizona 85004

9 Attorneys for Sabrosa Water Company

10 Christopher Kempsey, Chief Counsel

11 ARIZONA CORPORATION COMMISSION

12 1200 W. Washington Street

13 Phoenix, Arizona 85007

14 Ernest Johnson, Director of Utilities

15 ARIZONA CORPORATION COMMISSION

16 1200 W. Washington Street

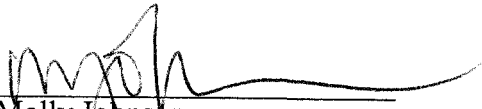
17 Phoenix, Arizona 85007

18 Arizona Reporting Service, Inc.

19 2627 N. Third Street, Suite Three

20 Phoenix, Arizona 85004-1103

21 By:

22   
23 Molly Johnson  
24 Secretary to Lyn Farmer  
25  
26  
27  
28